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Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

ANIMAL LEGAL DEFENSE FUND, PEOPLE  
FOR THE ETHICAL TREATMENT OF  
ANIMALS, and AMY MEYER,

Plaintiffs,

v.

GARY HERBERT, in his official capacity as  
Governor of Utah, and SEAN REYES, in his  
official capacity as Attorney General of  
Utah,

Defendants.

**Conditional Settlement of Plaintiffs' Motion for an  
Award of Attorneys' Fees and Costs**

Case No. 2:13-cv-679-RFS  
Hon. Robert J. Shelby

Plaintiffs Animal Legal Defense Fund, People for the Ethical Treatment of Animals, Inc., and Amy Meyer (Plaintiffs) and Defendants Gary Herbert and Sean Reyes (Defendants) (collectively, the Parties), through counsel, agree as follows:

WHEREAS, on July 7, 2017, the Court entered judgment for the Plaintiffs (ECF No. 206);

WHEREAS, on July 21, 2017, Plaintiffs submitted a Motion for an Award of Attorneys' Fees and Costs (ECF No. 201);

NOW THEREFORE, IT IS HEREBY AGREED THAT, the Parties have reached a final settlement of Plaintiffs' Motion for an Award of Attorney's Fees and Costs subject to the following terms:

1. In full settlement of all of Plaintiffs' claims for attorneys' fees and costs in this litigation, Defendants shall pay Plaintiffs' counsel \$349,000 (the Payment), conditioned on the funding of the Payment by the Utah legislature, on or before March 1, 2018;
2. Within five days of receipt of the Payment, Plaintiffs will file a Notice of Withdrawal of Plaintiffs' Motion for an Award of Attorneys' Fees and Costs;
3. In the event that the Utah Legislature fails to fund the Payment, the Parties will resume briefing on Plaintiffs' Motion for an Award of Attorney's Fees and Costs;

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4. The Parties will jointly stipulate and move the Court or an order extending the Plaintiffs submitted a Motion for an Award of Attorneys' Fees and Costs existing deadline for Defendants to oppose Plaintiffs' Motion for an Award of Attorneys' Fees and Costs (ECF No. 201) to March 19, 2018. A copy of the stipulation to extend time is attached as Exhibit A to this agreement.

Dated: November 17, 2017

COUNSEL FOR PLAINTIFFS

*/S/ Stewart Gollan*

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Stewart Gollan  
*Attorney for Plaintiffs*

OFFICE OF THE UTAH ATTORNEY GENERAL

*/S/ Kyle J. Kaiser<sup>1</sup>*

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Kyle J. Kaiser  
*Attorney for Defendants*

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<sup>1</sup> Electronically signed on behalf of Kyle J. Kaiser with express permission.

# **Exhibit A**

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ANIMALS, and AMY MEYER,

Plaintiffs,

v.

GARY HERBERT, in his official capacity as Governor of Utah, and SEAN REYES, in his official capacity as Attorney General of Utah,

Defendants.

**Stipulation and Motion for Extension of Time to Respond to Plaintiffs' Motion for an Award of Attorneys' Fees and Costs**

Case No. 2:13-cv-679-RFS  
Hon. Robert J. Shelby

Plaintiffs Animal Legal Defense Fund, People for the Ethical Treatment of Animals, Inc., and Amy Meyer (Plaintiffs) and Defendants Gary Herbert and Sean Reyes (Defendants) (collectively, the Parties), hereby move for an order extending the time for Defendants to respond to Plaintiffs' Motion for an Award of Attorney's Fees and Costs (doc. 207), currently due on or before November 17, 2017, to on or before March 19, 2018.

Good cause exists for this motion. The Parties have entered into an agreement settling the contested fee, but it remains subject to funding by the Utah legislature. Defendants expect to obtain funding and issue payment on or before March 1, 2018. In the event that the payment is made, Plaintiffs will file a notice of withdrawal of their motion. If the legislature does not fund the payment, Defendants will file an opposition to the motion on or before March 19, 2018.

A proposed order GRANTING this motion will be filed concurrently.

Dated: November 17, 2017

RICKS & GOLLAN, PLLC

*/S/ Stewart Gollan*

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Stewart Gollan  
*Attorney for Plaintiffs*

OFFICE OF THE UTAH ATTORNEY GENERAL

*/S/ Kyle J. Kaiser*<sup>2</sup>

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Kyle J. Kaiser  
*Attorney for Defendants*

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<sup>2</sup> Electronically signed on behalf of Kyle J. Kaiser with express permission.